



08:07/02

08:37

**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231**COPY**

002

#5

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/475,962	12/30/99	PENNISI, JR.	F 9D-EC-19319-

GEORGE L RIDEOUT JR
GENERAL ELECTRIC COMPANY
APPLIANCE PARK 2 225
LOUISVILLE KY 40225

0232/0210

2768

DATE MAILED:

02/10/00

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$130.

☐ 1. The statutory basic filing fee is:

- ☐
- missing.
-
- ☐
- insufficient.

Applicant must submit \$_____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$_____ for _____ total claims over 20.

\$_____ for _____ independent claims over 3.

\$_____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:☒ is missing or unsigned.☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).☐ 7. Your filing receipt was mailed in error because your check was returned without payment.☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER: _____

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

[Signature]
Customer Service Center
Initial Patent Examination Division (703) 308-1202

RECEIVED
AUG 13 2002
OFFICE OF PETITIONS



#4

Express Mail No. EV 130050737

9D-EC-19319
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
AUG 13 2002
OFFICE OF PETITIONS

Applicant: Pennisi, Jr. :
Serial No.: 09/475,962 : Art Unit:
Filed: December 30, 1999 : Examiner:
For: CAPACITY MONITORING SYSTEM FOR A :
GOODS DELIVERY SYSTEM :

**PETITION TO REVIVE PATENT APPLICATION FOR UNINTENTIONAL FAILURE TO
RESPOND TO NOTICE OF MISSING PARTS (37 C.F.R. § 1.137(b))**

Box DAC
Hon. Commissioner for Patents
Washington, D.C. 20231

Pursuant to 37 C.F.R. § 1.137(b), this is a petition for revival of an unintentionally abandoned application. Particularly, a Notice To File Missing Parts Of Application was mailed by the U.S. Patent and Trademark Office (USPTO) on February 10, 2000, in the above-referenced patent application. The response to missing parts was due on April 10, 2000. A Notice of Abandonment has been received.

The following authorizations and statements are provided in accordance with 37 C.F.R. 1.137(b):

- (1) Authorization to charge the late filing fee to a deposit account is set forth below in Paragraph (4).
- (2) Authorization to charge the petition fee (37 C.F.R. 1.17(m)) is set forth below in Paragraph (4).
- (3) The entire delay in the filing of the required reply from the due date for the reply until the filing of this petition was unintentional.

08/13/2002 AWONDAF1 00000121 012384 09475962

01 FC:141 1280.00 CH
02 FC:105 130.00 CH

(4) Fees:

- a. Late Filing Fee Surcharge (37 C.F.R. 1.16(e)) \$ 130.00
- b. Petition Fee (37 C.F.R. 1.17(m)) \$ 1,280.00
- c. TOTAL FEES DUE: \$ 1,410.00

The Commissioner is hereby authorized to charge payment of the total fees due in the amount of \$1,410.00, any deficiencies in the enclosed fees, or credit any overpayment, to Deposit Account No. 01-2384. *A duplicate copy of this petition is enclosed.*

(5) Enclosed is a required response to the notice of missing parts including:

- a. Copy of the Notice To File Missing Parts Of Application
- b. Copy of the signed Declaration And Power Of Attorney of Frank Joseph Pennisi, Jr..
- c. Copy of the Associate Power Of Attorney And Change Of Correspondence Address as filed December 18, 2001, including:
 - Change of Correspondence Address Form PTO/SB/122
 - Return Post Card
 - Stamp-Received Return Post Card

As set forth above, the entire delay in the filing of the required reply from the due date for the reply until the filing of this petition was unintentional. Therefore, Applicant respectfully requests that the subject application be revived.

Respectfully Submitted,



Thomas M. Fisher
Registration No. 47,564
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070



08-12-02

DAC #

9D-EC-19319
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Pennisi, Jr.

Serial No.: 09/475,962

Filed: December 30, 1999

For: CAPACITY MONITORING SYSTEM FOR A
GOODS DELIVERY SYSTEM

Art Unit:

Examiner:

RECEIVED
AUG 13 2002
OFFICE OF PETITIONS**CERTIFICATE OF MAILING BY EXPRESS MAIL TO
THE COMMISSIONER OF PATENTS AND TRADEMARKS**Express Mail mailing label number: EV 130050737 USDate of Mailing: August 9, 2002RECEIVED
AUG 13 2002
OFFICE OF PETITIONS

I certify that documents listed below:

- ◆ Petition To Revive Patent Application For Unintentional Failure To Respond To Notice Of Missing Parts (37 C.F.R. § 1.137 (b)) (2 pages, *in duplicate*)
- ◆ Copy of the Notice To File Missing Parts Of Application (1 page)
- ◆ Copy of the signed Declaration And Power Of Attorney of Frank Joseph Pennisi, Jr. (1 page)
- ◆ Copy of the Associate Power Of Attorney And Change Of Correspondence Address (1 page) as filed December 18, 2001, including, Change of Correspondence Address Form PTO/SB/122 (1 page), Return Post Card (1 page) and Stamp-Received Return Post Card (1 page)
- ◆ Certificate Of Mailing By Express Mail (1 page)
- ◆ Return Post Card

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above in an envelope addressed to Box DAC, Commissioner for Patents, Washington, D.C. 20231.

Respectfully Submitted,

Thomas M. Fisher, Reg.: No. 47,564
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070